IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 6001-M of 2007

DATE OF DECISION : 30.01.2007

Vinod Kumar

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. G.S. Goraya, Advocate,
for the petitioner.

* * *

Petitioner Vinod Kumar has filed this petition under section 482 of the Code of Criminal Procedure for quashing of FIR No. 171 dated 29.11.2003 registered under Section 22 of the NDPS Act, 1985 at Police Station Dhanaula, District Barnala, as well as the charge sheet dated 24.1.2004.

I have heard counsel for the petitioner and gone through the contents of the FIR.

Counsel for the petitioner contends that the alleged recovery from the petitioner does not fall under the provisions of the NDPS Act, as the petitioner was possessing the drugs and at the most, the violation can be said to be under the Drugs and Cosmetics Act.

At this stage, when the prosecution evidence is going on, I am not inclined to entertain this petition on the aforesaid ground.

Dismissed.

However, it will be open for the petitioner to raise all the points, raised in this petition, at the appropriate stage of trial.

January 30, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**